

Remarks

This is in response to the Office Action dated February 22, 2007.

Per the above amendment, claims 19-20 have been canceled.

Claims 1-4, 7, 9, 11-16, 18 and 19 have been rejected under 35 USC 103(a) as being unpatentable over Bierman (US2444417) in view of Namey (2002/0020416); and claims 5-6, 17 and 20 have been rejected under 35 USC 103(a) as being unpatentable over Bierman in view of Namey and further in view of Tayebi (US4856508).

In relying on Bierman, the Examiner states that the wire frame (35) and buckle (36) of Bierman can be regarded as providing the "radially-extending arms" required by the claims.

It is respectfully submitted that such assertion is completely unjustified. No one would really consider the approximately circular wire frame of Bierman as having a shape that could be considered as being "radial". The shape of Bierman's wire frame would more accurately be described as "annular", which is completely different from a radial shape. Second, all the claims require the reinforcement member of the face mask of the present invention to be moulded integrally with the canopy and of a plastics material. It is clear that Bierman's wire 35 and buckle 36 are not integral with the remainder of the mask and, furthermore, it is clear that they are not moulded or of a plastics material. The whole character of the mask of the present invention is that it has a reinforcement frame with radial arms that is moulded integrally with a softer canopy as a dual-shot process. Bierman's mask is not made integrally by a two shot process (see column 2, lines 29 to 32 where it is clear that the sealing piece 12 is fitted on the centrepiece as a step subsequent to that of manufacturing the two parts). Accordingly, it is respectfully submitted that the Examiner's objection in relation to Bierman is without merit.

Whilst Namey (US2002/0020416) does describe a two-shot manufacturing process for masks, it is quite clear that Namey does not provide the radially-extending arms required by the present claims. Instead, Namey's mask body 38 has an annular peripheral edge with which the seal member 40 is bonded.

The radial shape of the reinforcement arms has the advantage of providing some rigidity but of allowing the free end of the arms to deflect relative to one another so as to afford flexibility to the peripheral sealing edge. This allows it to conform to the contours of the anatomy and provide a leak-proof contact.

Tayebi (US4856508) describes a mask with a filter and valve but does not have two components of different hardness as required by the claims of the present application, nor does it in any way suggest a reinforcement member with radial arms, as specified in the claims.

In view of the forgoing, it is respectfully submitted that the present application is patentably distinguishable over the prior art. Accordingly, the examiner is respectfully requested to reconsider the application and pass the case to issue at an early date.

Respectfully submitted,



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